

09/864,685
Page 10

REMARKS

The above listed claim amendments along with the following remarks are fully responsive to the Office Action set forth above. By this Amendment, claims 1-4 and 10 are amended, claims 5, 9, and 11-30 are cancelled, and new claims 31-55 are added. After entry of this Amendment, claims 1-4, 6-8, 10, and 31-55 are pending. No new matter is added by the amendments or the new claims.

The Applicant hereby affirms the election of Group I, claims 1-10 and 26-30. Claims 11-25 of Group II were withdrawn from consideration by the Examiner, and are now cancelled.

The specification is amended at page 1 to contain a reference to a previously filed U.S. provisional application, the benefit of which is claimed by the present application under 35 U.S.C. § 119(e). The present application does not claim priority to any application under 35 U.S.C. § 120. The amendment to the specification is sufficient to overcome the Examiner's objection to the priority claim and the Examiner's objection to the Applicant's declaration.

The specification is amended for the sake of clarity at page 3 and page 11 to properly reflect conventional notation for the generic structure of the dithiocarbonyl compounds useful in the present invention. The generic structure includes both a carbon-sulfur double bond and a carbon-sulfur single bond: $(R_1)(R_2)Z-C(S)-S-Y$. The clarification is also reflected in claim 2 as presently amended.

The specification is also amended at page 15 to insert the proper generic structure for suitable dimers of dithiocarbamate monomers: $(R_1)_m(R_2)Z-C(S)-S-S-C(S)-Z(R_1)_m(R_2)$. The generic structure properly represents Disulfuram (CAS 97-77-8), a dimer included in the composition of Example 5, for instance.

The specification is amended at various points on pages 25-40 to correct numbering for several of the Examples.

No new matter is introduced by the amendments to the specification.

09/864,685
Page 11

Support for new claim 31, and the claims that depend therefrom, may be found in the specification at page 17 lines 5-8 and 12-15, and in at least Examples 5, 6, 7, 8, 10, 17, and 18.

Support for new claim 39, and the claims that depend therefrom, may be found in the specification at page 17, lines 16-19, and in at least Examples 5, 6, 9, 12, and 13.

Support for new claim 46, and the claims that depend therefrom, may be found in the specification in at least Examples 5 and 6.

Support for new claim 49, and the claims that depend therefrom, may be found in the specification in at least Examples 6, 7, 8, and 14, and in the claims as originally filed.

Claim Rejections – 35 U.S.C. § 112

The Examiner has rejected claims 1-9 and 26-30 as not enabled by the specification. Claims 5, 9, and 26-30 are now cancelled.

Claim 1 presently recites a composition comprising a dithiocarbamate compound, a metal cation selected from the group consisting of Zn^{++} and Cu^{++} , a modulator of cellular glutathione effective to decrease cellular glutathione, and dimethylethanolamine.

Claim 1 is amended to recite that the claimed composition includes a dithiocarbamate compound. The term "dithiocarbamate" as used by the Applicant in the claims is intended to include both dithiocarbamate monomers and dimers of dithiocarbamate monomers, such as Disulfuram. The Examiner stated at page 7 of the Office action that the specification is enabling for compositions including dithiocarbamate compounds.

Claim 1 is also amended to recite that the metal cation is selected from the group consisting of Zn^{++} and Cu^{++} . Claim 1 is further amended to recite that the composition includes dimethylethanolamine.

Claim 1 is amended to recite that the modulator of cellular glutathione is effective to decrease cellular glutathione levels. Support for this amendment may be found in the specification at page 15, line 26 bridging to page 16, line 7. Several compounds that are effective to decrease cellular glutathione, including ethacrynic acid, L-buthionine-S,R-sulfoximine, diethylmaleate, 2-cyclohexene-1-one, and 1-chloro-2,4-dinitrobenzene, are disclosed in the specification. Others are known in the art. It is submitted by the Applicant

09/864,685
Page 12

that the present invention as recited in claim 1 is not limited to any one of the listed chemicals, but encompasses compositions that include chemicals which act as modulators of cellular glutathione and are effective to decrease cellular glutathione levels, in combination with the other recited chemotherapeutic agents. The identification of modulators of cellular glutathione effective to decrease cellular glutathione levels is within the skill of the ordinary artisan.

It is respectfully submitted that claim 1 as presently amended is properly enabled by the specification. 35 U.S.C. § 112, first paragraph, requires that the scope of the claims must bear a reasonable correlation to the scope of enablement provided by the specification to persons of ordinary skill in the art. *In Re Fisher*, 427 F.2d 833 (CCPA 1970). The enablement requirement is satisfied when the specification teaches those in the art to make and use the invention without undue experimentation. *In re Vaeck*, 20 USPQ.2d 1438 (CAFC 1991).

It is submitted by the Applicant that a person of ordinary skill in the art would be able to practice the invention as claimed in claim 1, without undue experimentation. A person would readily be able to practice numerous embodiments of the invention as claimed in claim 1, by performing in a straightforward fashion the routine experiments described in the specification at page 23, line 11 to page 24, line 25. Withdrawal of the rejection is requested.

In view of the amendments to claim 1, claim 2 is accordingly amended to recite a generic formula for only dithiocarbamate compounds. Furthermore, claim 3 is amended to remove the recitation of tricyclo-[5.2.1.O^{2,6}]-decyl-9[8]-xanthogenate (commonly known as D609), which is not a dithiocarbamate compound. Accordingly, claims 49-55, which are directed to compositions comprising to tricyclo-[5.2.1.O^{2,6}]-decyl-9[8]-xanthogenate in combination with other chemotherapeutic agents, have been added.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claim 28 as unpatentable over Lacreata, *et al.* in view of Crescenti. Claim 28 is cancelled. Withdrawal of the rejection is requested.

09/864,685
Page 13

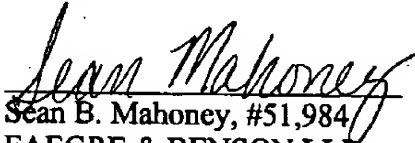
C nclusi n

All pending claims are now in condition for allowance. A notice to that effect is respectfully requested.

Respectfully Submitted,

ZOLTAN KISS

By:


Sean B. Mahoney, #51,984
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-6845

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